

**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON**

**UNITED STATES OF AMERICA**

Plaintiff,

v.

**J.H. BAXTER & CO., INC.**

Defendant.

**JUDGMENT IN A CRIMINAL CASE****Case No.: 6:24-CR-00441-MC-1****USM Number:**Amy Elizabeth Potter,  
Defendant's AttorneyKarla G. Perrin,  
Assistant U.S. Attorney**THE DEFENDANT:**☒ pleaded guilty to counts 1, and 2 of the Information.

The defendant is adjudicated guilty of the following offense(s):

<u>Title, Section &amp; Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number</u>
42:6928(d)(2)(A) and 18:2 Illegal Treatment of Hazardous Waste	Between at least on or about 1/2/2019 through on or about 10/6/2019	1
42:7413(c)(1) and 18:2 Violation of Clean Air Acts National Emission Standards for Hazardous Air Pollutants	Between at least on or about 1/2/2019 through on or about 10/6/2019	2

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) and is discharged as to such count(s).

☐ Count(s) are dismissed on the motion of the United States.

☒ The Court finds based on defendant's fine, special assessment will not be ordered in this case

**IT IS ORDERED** that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

April 22, 2025

Date of Imposition of Sentence

s/Michael J. McShane

Signature of Judicial Officer

Michael J. McShane, U.S. District Judge

Name and Title of Judicial Officer

May 1, 2025

Date

**PROBATION**

The defendant is hereby sentenced to probation for a term of 5 years.

**MANDATORY CONDITIONS**

1. You must not commit another federal, state or local crime.
2. ☐ You must make restitution in accordance with 18 U.S.C. §§ 2248, 2259, 2264, 2327, 3663, 3663A, and 3664. (*check if applicable*)
3. ☐ You must pay the assessment imposed in accordance with 18 U.S.C. § 3013.
4. If this judgment imposes a fine, you must pay in accordance with the Schedule of Payments sheet of this judgment.
5. You must notify the court of any material change in your economic circumstances that might affect your ability to pay restitution, fines, or special assessments.

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

**STANDARD CONDITIONS OF SUPERVISION**

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must not commit another federal, state or local crime during the term of probation.

**U.S. Probation Office Use Only**

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: [www.uscourts.gov](http://www.uscourts.gov).

Defendant's Signature \_\_\_\_\_

Date \_\_\_\_\_

**SPECIAL CONDITIONS OF SUPERVISION**

No special conditions imposed in this case.

AO 245B

Judgment in a Criminal Case - DISTRICT OF OREGON CUSTOMIZED (Rev. 10/2019)  
Sheet 5 - Criminal Monetary PenaltiesDEFENDANT: J.H. BAXTER & CO., INC.  
CASE NUMBER: 6:24-CR-00441-MC-1

Judgment-Page 3 of 4

**CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the Schedule of Payments set forth in this judgment.

	<u>Assessment</u> <u>(as noted on Sheet 1)</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA</u> <u>Assessment<sup>1</sup></u>	<u>JVTA</u> <u>Assessment<sup>2</sup></u>	<u>TOTAL</u>
<b><u>TOTALS</u></b>	\$0.00	\$0.00	\$1,000,000.00			\$1,000,000.00

☐ The determination of restitution is deferred until \_\_\_\_\_. An *Amended Judgment in a Criminal Case* will be entered after such determination.

☐ The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all non-federal victims must be paid in full prior to the United States receiving payment.

☐ If applicable, restitution amount ordered pursuant to plea agreement: \$\_\_\_\_\_.

☐ The defendant must pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☒ The court determined that the defendant does not have the ability to pay interest and it is ordered that

☒ The interest is waived for the ☒ fine and/or ☐ restitution.

☐ The interest requirement for the ☐ fine and/or ☐ restitution is modified as follows:

Any payment shall be divided proportionately among the payees named unless otherwise specified.
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**SCHEDULE OF PAYMENTS**

Having assessed the defendant's ability to pay, payment<sup>1</sup> of the total criminal monetary penalties shall be as follows:

- A. ☐ Lump sum payment of \$\_\_\_\_\_ due immediately, balance due  
☐ not later than \_\_\_\_\_, or  
☐ in accordance with ☐ C, ☐ D, or ☐ E below; or
- B. ☒ Payment to begin immediately (may be combined with ☐ C, ☒ D, or ☐ E below); or
- C. ☐ If there is any unpaid balance at the time of defendant's release from custody, it shall be paid in monthly installments of not less than \$500.00, or not less than 10% of the defendant's monthly gross earnings, whichever is greater, until paid in full to commence immediately upon release from imprisonment.
- D. ☒ Any balance at the imposition of this sentence shall be paid in monthly installments of not less than \$500.00, or not less than 10% of the defendant's monthly gross earnings, whichever is greater, until paid in full to commence immediately.
- E. ☐ Special instructions regarding the payment of criminal monetary penalties:

Unless the Court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties, including restitution, shall be due during the period of imprisonment as follows: (1) 50% of wages earned if the defendant is participating in a prison industries program; (2) \$25 per quarter if the defendant is not working in a prison industries program. If the defendant received substantial resources from any source, including inheritance, settlement, or other judgment, during a period of incarceration, the defendant shall be required to apply the value of such resources to any restitution or fine still owed, pursuant to 18 USC § 3664(n).

Nothing ordered herein shall affect the government's ability to collect up to the total amount of criminal monetary penalties imposed, pursuant to any existing collection authority.

All criminal monetary penalties, including restitution, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the Clerk of Court at the address below, unless otherwise directed by the Court, the Probation Officer, or the United States Attorney.

**Clerk of Court  
U.S. District Court - Oregon  
405 E. 8th Ave., Ste. 2100  
Eugene, OR 97401**

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☒ **Joint and Several**

<b>Case Number Defendant and Co-Defendant Names (including Defendant number)</b>	<b>Total Amount</b>	<b>Joint and Several Amount</b>	<b>Corresponding Payee, if appropriate</b>
J.H. Baxter & Co. USDC No. 6:24-CR-00441-MC-02	\$1,000,000.00	\$1,000,000.00	
J.H. Baxter & Co. Inc. USDC No. 6:24-CR-00441-MC-01	\$1,000,000.00	\$1,000,000.00	

<sup>1</sup> Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVT A assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.